witnesses. These were not put on oath, but could be informally cross-examined by anyone present. The spectators took part in the trial and their attitude had considerable influence on the *Kadoodrioma's* decision, which was final. I was unable to learn how the awards of the court were enforced. There seems to have been no special machinery for this, the pressure of public opinion being sufficient. [424]

Criminal cases dealt with theft, very rarely murder, and witchcraft. Theft was a very serious offense and the thief, if caught in the act, might be killed out of hand. Suspects were tried by the village chief and *Fokwadona*. They were not allowed representation by counsel and the proceedings seem to have been less formal and more heated than in civil cases. Witnesses were called when possible, but a thief might be convicted on circumstantial evidence alone. If found guilty he was forced to make full restitution and would usually be badly mauled by the spectators and jeered at for a long time afterward. If accused of a second or third offense, the thief would be sent to the *Kadoodrioma* of the area for judgment. This official might fine him to the extent of his property, or have him beaten, or both, but apparently he could not order him sold into slavery, or officially sentence him to death. However, if the culprit died as a result of the beating no one was held responsible. A criminal might appeal from the judgment of the *Kadoodrioma* to that of the king, but this was not encouraged. An old offender who did so was likely to be brought in dead, with the explanation that he had tried to escape from his guards on the way. If he reached the king, the case was laid before the *Kadoodrioma*, who made a thorough investigation and then submitted it to the king with a recommendation. The king's judgment was final, and if the accused appeared displeased he was fined as for contempt of court. This fine went to the king, as did any other fine levied by him. In most places only the king had the right to pronounce sentence of death. [421] [425] [426]

Murder was so rare that I could learn nothing of the procedure except that the murderer would probably be sent to the king, who would sentence him to death. [422]

Although the Dwapa lacked the exaggerated fear of witchcraft which is present in many African tribes, they believed that there were certain persons, called *nyamwang*, who caused illness and death by magical means. This was the most serious of all offenses, being considered the equivalent of wholesale murder. An *nyamwang* always [427] [428]

Mendie anyone may be adopted. The adopter calls the village together in the *kisowa* or at his own house. He provides a liberal supply of rum and 1.20 to 2.00 francs in money. When all have assembled he fills a white drinking horn with rum and holds it in front of him while the head of the lineage announces: "Here is so-and-so, who is going to adopt so-and-so. He has brought the rum and the money." The rum is then passed around and the money divided among the whole village, the elders getting the largest share. The giving of the money is the real sign of adoption. After this ceremony the adopted child is in all ways the equal of a real one.

The Tonala Senufo adopt only illegitimate children, their own or those of women they marry, and faithful slaves. In the case of an illegitimate child the man kills an ox, called the *sen-kilig*. The meat is divided into two equal parts, one for each of the families interested, and the adoption publicly announced. After this the child has all the rights of a legitimate one. Fathers often adopt their illegitimate children without marrying the mother.

Slaves may be adopted as a reward for long and loving service. In this case two cows are killed, one for the village and the other for persons living in other villages but sharing the same tomb. The slave receives freedom and full social rights, but is expected to remain with his adoptive parents. If he neglects his adoptive father the latter may reject and sell him. His price will be divided between the adoptive father and the *Folonokuna* ("village council").

DISOWNMENT

Disownment is extremely rare but is practised by all the Tonala without exception. It seems to be limited to adult men and is considered as a desperate measure. The Senufo disown only for repeated incest or if a man has become a professional thief. Ingratitude or even violence to parents is not considered sufficient cause. The Mendie disown for the same reasons and for offenses against the parents as well.

The erring son is warned first by his parents, then by his father's parents and the elders of the gens and lastly by his mother's parents. The mother's parents are considered the last resort and their pleas are believed to be most effective. If he still fails to mend his ways, his father and mother assemble the village and announce: "So-and-so, our son, will not relieve his eyes although he has been counseled by his mother's parents. We disinherit him and he can go wherever he wants to." They then give rum and a sum of money to the village

council. This is partly as payment for their service as legal witnesses and partly, it seems, to recompense the village for the loss in its man power. The occasion is a sad and solemn one and there is no feasting.

The man who has been disowned is driven out of the village and goes and is likely to be informally executed if he returns. He loses all rights to his parents' property and cannot be buried in the grave vault. The punishment is considered more terrible than death, for his soul is forever excluded from the company of his ancestral spirits and cannot partake of the sacrifices. He becomes a starving vagabond in this world and the next.

PARENTAL AUTHORITY

Among the Tanala Ikongo authority over the children is vested in the mother. If the father has given the mother an ox, he is entitled to correct and discipline the children, otherwise not. If he tries to assist or strike a child, either for disobedience or some fault, the mother formally warns him to stop. If he persists and really strikes the child, the mother may divorce him, taking the children with her and giving them to her next husband. As far as I know, there is no other group in Madagascar which has such an arrangement. The neighboring tribes consider it barbarous. They say that it arises from the fact that, until quite recent times, the Ikongo men have made no marriage payment to their wives' families. Their marriages were, therefore, nothing more than concubinage and the children, being illegitimate, belonged to the mother. However, the Ikongo regarded such unions as quite regular and counted the children as legitimate. The maternal right persists even today, when a bride price is regularly paid, and I believe that it may be a relic of a former matriarchal system, some of which appear in other parts of their social organization.

Among the Manala parental authority is vested in the father, although the mother seems to be most active in directing and controlling the children while they are small. The authority of the father continues, in theory, throughout life, but in practice a man's control over his grown son varies greatly. He often has little if they live outside the village. Cases in which parents have been left to exist while their children living elsewhere are prosperous are not uncommon. In general, the more property a man has the more respect and affection his children show him.

Children must show respect to their parents and there are a number of taboos governing their conduct. After they become too large